App.F.IX-4

1921. ✓

File No. 5-5-24

Previous References (Courts)

Serial Nos. 1-2

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Two

Part B for July 1926.

SUBJECT

Introduction of official Trustees Act in Mysore (RA subject No 41 of October 1920).

Filed

M Iyengar
9/7/26

G. R. S. III—1] 1921-22

GENERAL AND REVENUE SECRETARIAT.

(Cents)

NOTES.

File No. 55-21

FILE HEADING.

Introduction of the Official Trustees Act in Mysore
(Subject no 71 October 1920)

From

No.	Dated	Received

Diary No.	Enclos.	Spare Copies.	Serial No.

BRIEF ABSTRACT OF LETTER

NOTES AND ORDERS.

Y 3075

(2)

25-2-09

ck 5'5-21

Oct 1920

SUBJECT No. 71. (1) The Official Trustees Act may be introduced in Mysore as it is considered necessary by the Bangalore Law Association.

Introduction of the Official Trustees Act in Mysore.

Mr. B. Srinivasa Iyengar, Bangalore Law Association. (2) *Dewan*.—Noted. Will be examined.

5/5/21 (3) Submitted for orders of the Registrar Chief Court with a draft

(4) Please peruse and

D. M.
15.1.8.

Se no 1 To the Registrar Chief Court
No J 815 Dt 16-8-1921
Called for opinion of the Judges of
the Chief Court in the matter.

Secy
9/8

Se: no 2. from
the Registrar Chief Court
Letter no J 2015 86 of 1921 dt 7-2-1922
forwarding the opinions of the judges of the Chief
Court together with the opinions of certain other officers
of the Judicial department

submitted for orders. It may be perhaps useful to call
for statistics from the District Courts in which the Courts
act as trustees for the estates of minors together with the
15-2-22 value of the estates.

3075 (3

R. S. III-2]

General and Revenue Secretariat. | File No. 55 of 1921-2

Serial No.

The Judges of the Chief Court are in favour of introducing a regulation on the model of the Official Trustees Act; and so are the Officers of the Judicial Dept, except the District Judge of Mysore. Law Associations of Bangalore & Shimoga are for it, while that of Mysore ajainst, probably because their District Judge is against it. The main objection of the District Judge of Mysore is that before such regulation like this is taken up, there must be a Trust Act. The Judges of the Chief Court consider that this is not necessary.

There is no doubt that there are a number of advantages in introducing such an act. It is not however, certain whether the Official Trustee, will have enough trusts to manage another item is the cost involved, which may be reduced, if necessary. It is desirable to have a Regulation, and when the public come to know of its advantages, there will be enough work.

Gen Secy

Govt

G. R. S. III-2]

3078

(16

General and Revenue Secretariat. | 615 File No. 55 of 1921

Serial No.

Please put up copy of Ind Br Indian Act. Does Govt contribute anything towards the remuneration of the Trustee?

Please put up
copy

28/2

28/2

A copy of the Act is put up (vide Act II of 1913) Under S. 4 of the Act the Official Trustee is appointed by Govt and in fixing fees for the duties of the Official trustee they are so arranged as to produce sufficient amount to discharge the Salaries and all other expenses incidental to the working of the Act. (Vide S. 17 (2),) It appears therefore, that the Govt. does not contribute anything towards the remuneration of the Official

Bost Sec
15

28/2 for
28/2

Gen Secy

28/2

I do not think there is any great need

NOTE—Contn. sheet.

F. R. S. III-2]

General and Revenue Secretariat. | File No. 58 of 1921

Serial No.

for introducing this legislative measure. Nadamb- it is a beneficial act- but the running trusts for administration being Hindus legislation would be in advance of the mind

4358
11.3.22.

9/3

Hon'ble Mr. Chumbel :- I can't say that there is no need for this appn. of an Special Trustee. As this case first I found it extremely difficult to find out as to the no. of deputy minors and a lot of difficulty was found in finding suitable private persons of respectability to act as trustees. There are also cases of charitable endowments which are not properly managed by private trustees. I think it is not right that this work should be entrusted to Special Trustees. This power to need be exercised only when it becomes necessary for the Govt. agency.

Those circumstances this Municipal Hospital and not whether this power conferred there upon the Deputy Commr. & Municipal Officers are not safeguards to discretion with the meaning & passing this Hospitals

Ans. to please note

15/3.

NOTE—Contn. sheet.

Legl. Secy. with Opn.

16/3

W.D.

16/3

General and Revenue Secretariat. | C/S File No. 55 of 1921.

Serial No.

Subd. The Mussalmans Regulation applies to religious and charitable institutions and provides for the control and supervision of such institutions by Muslim officials. Govt. may appoint Dharmadharis for the management of the institution. They may be required to keep regular accounts & send returns. There is provision for inspection & verification. But there is no statutory provision for a regular audit. In cases of mismanagement Govt. may take over the management or frame a scheme for the management of the institution.

The official trustee on the other hand has in respect of the trust all the powers, rights & duties of an ordinary trustee. He actually administers the estate trust. He should

Serial No.

not accept any religious trust as one which involves the management or carrying on of a business. The accounts of the official trustee have to be audited at least once annually. The mutwali officer may not be able to devote as much attention as an official trustee to the administration of the trust. Under the mutwali Regn. Pharmadasis may be appointed & invested with the powers, functions and responsibilities of a corporate person. In fact when so appointed their position will be analogous to that of the official trustee. This can be done only in respect of religious or charitable institutions, and other public trusts cannot be brought under the Regn. But such trusts will perhaps be a few.

EGG
11/25/24

3075 gvi.

General and Revenue Secretariat. | CS File No. 55 . of 19 21 -

Serial No.

The Khyrai Khyr applies only to lands of a description not changed or recognised in regard to which the parties ample safeguard or managed by Govt. This does not apply to private lands and hence a separate Regulation may have to be framed in regard to the latter.

17/3 (R.A.)

Recommended 8.7.26

CS 8/7/26

NOTE—Contn. sheet.

G R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to 55-2

Section eb
File No. 55-4
Serial No |

General and Revenue Secretariat
( )
, *the* 191 .

No. J 815

Date of issue 16/8

Signed by

To

The Registrar Chief Court.

Sir,

I am directed to invite ~~your~~ attention to ~~the~~ A
~~reference~~ to Subject no 71. Portugese
re Introduction of the Official Trustees Act
in Mysore. ~~brought up for discussion~~
~~in the October session of the R. A Committee~~
~~1920~~ and request you to kindly
obtain and forward the opinion of the
Judges of the Chief Court in the matter.

I have etc

D. M. 15/8

over.

Instructions

3/8/20

33996

D. Dis. No. 86/J21-22

Cts 55-21-2 3075 J. 2

GEN & REV SECTT
14 FEB 1922

Chief Court of Mysore,

Bangalore, dated 14th February 1922.

JUDICIAL AND PUBLIC SECRETARIAT
15 FEB 1922
JUDICIAL BRANCH

From

G. SREENIVASA IYER, Esquire, B.A., M.L.,

Registrar of the Chief Court of Mysore.

To

S. HIRIANNAIYA, Esquire, M.A., B.L.,

Secretary to the Government of Mysore,

General Department, Bangalore.

Sir,

Adverting to your letter No. J. 815/Cts. 55-21-7, dated 16th August 1921, in the matter of introducing the Official Trustees Act in Mysore, I am directed to forward herewith

1. The District Judges of Bangalore, Mysore and Shimoga.
2. The Subordinate Judge of Bangalore,
3. The Munsiffs in the Bangalore Division.

the opinions of the Judges of the Chief Court in the matter together with the opinions of the marginally noted officers of the Judicial Department and of the Law Associations of Bangalore, Mysore and Shimoga.

I have the honour to be,

Sir,

Your most obedient servant,

REGISTRAR.

THE OPINIONS OF THE JUDGES.

The Chief Judge :-

"The opinions are divided, some holding that the advantages of having an official trustee are sufficient to warrant the making of the appointment now, and others that the idea is premature.

The latter hold generally that the country is too poor for it, Mr. H.K. Veerabasaviah (Munsiff, Kolar Gold Fields) thinks it would be useful if cheapened, Mr. G. Sreenivasa Iyer (lately acting District Judge, Mysore Division) thinks we want a Trusts Regulation first, and there is division of opinion among the Law Associations.

The Official Trustee of course does not administer the law of trusts: he administers the trusts created under the law. It is not essential that he should have for his guidance a code in the favour of a Regulation: he at least will be no worse off than other trustees now appointed and he will either have before his appointment more knowledge of the law than many of them have, or will acquire knowledge more quickly than they can, because he will have more cases to deal with. That is not to say that a codification of the law of trusts may not be desirable - at present we largely refer to English law and to the British Indian Trusts Act when questions under that law arise, and there may be lawyers in the State who could adopt the latter to the requirements of Mysore without much difficulty and with some advantage to trustees and the courts perhaps. But the appointment of an official trustee need not in my opinion wait for the codification of the law of trusts, if otherwise desirable.

The

The case which come before the courts relating to trusts strict y so called, are not many and Mr. K.K.Veerabasaviah may e justified in saying that the appointment will not attr ct much business if the charges applied in Madras are ap lied also in Mysore. But the difficulty of finding sa isfactory trustees is certainly not less in Mysore than e sewhere and till business increases the official tru ee need not necessarily be a whole time officer depe ing for his remuneration wholly on a salary allowed him t of the receipts. I do not know who is the official tru ee in Madras, what is the volume of his business and whe er he does other business or not. If the Government v w with favour the recommendation of the Representati e in the Assembly, no doubt they can obtain all such inf rmation as is necessary to enable them to see how the nstitution works in practice there.

Such ases as have arisen in my experience in this court sugge that it is not easy to find satisfactory trustees ev when one would expect to find them among the near relati s of the beneficiary, and I should think it likely that good many men, founding a trust for their families co ined with religious or charitable trusts, a common form f settlement, would be ~~xxxx~~ glad to know that its ad nistration is in the hands of a public officer watched nd controlled not by the courts alone, but by the Gove ment auditors and the Government and such men would n t be deterred from approaching the official trustee bec se the cost of administration would in effect ~~xx~~ include a s all portion of his salary. The request for official gu rdians of minors' estates has been more than once prefe ed, I think in the Representative Assembly, so that dem rd for official help in these matters is not non-existe : no doubt the official guardian is expected

to work for nothing as part of his ordinary duties, while probably the Government appointing an official trustee would recoup his salary from the trust funds and would not pay it ultimately out of general revenues: but in my opinion that will not prevent resort to the official trustee after a time at any rate, if only he makes a good start by administering well and successfully the estates which may at the outset be entrusted to him.

In my opinion there is enough in favour of the scheme in the abstract to justify a recommendation that the Government should entertain it favourably. I do not see what there is to justify the view that it is not suited to Mysore; the reason suggested generally is that estates are too small to justify the expenditure, but I believe that it is in the case of small estates that a public trustee is most useful; for small estates it is not so easy to find a suitable private trustee, and if the official trustee were given certain ~~xxx~~ privileges in the matter of bringing cases raising questions between himself and beneficiaries cheaply before the courts, the administration of small estates would be facilitated and need not be prohibitively expensive."

Rajadharmapravina Mr.Justice K.S. Chandrasekhara Aiyar:-

" I fully agree with the Chief Judge."

Mr. Justice R. B. Plumer :-

So do I. There is no doubt that there is a very present and continual difficulty in getting minors' estates efficiently and trustworthily managed. If the official trustee could undertake even the supervision of the guardian and manager of the estate locally appointed, it would be a work of great importance and public utility."

RGISTRAR.

N.G.

Opinions of the District Judges.

Letter No. 2971/356, dated 24th January 1922, from the District Judge of Bangalore (Mr. B. Nagappa), to the Registrar of the Chief Court of Mysore, Bangalore.

Adverting to your R.O.C.No. 191/21-22, dated 23rd/25th August 1921, calling for my opinion ~~xxx~~ as well as that of the Subordinate Judge and Munsiffs in this division, on the Dasara subject re the introduction of the Official Trustees Act in Mysore, I have the honour to state that in my opinion it is an advantage to introduce the Act in question into Mysore with such modifications as are deemed necessary.

The opinions of the Subordinate Judge and the Munsiffs of this Division are herewith sent in original. They are all in favour of introducing the Act in Mysore.

Letter No. 1876/176, dated 26th October 1921, from the District Judge of Mysore (Mr. G. Sreenivasa Iyer) to the Registrar of the Chief Court of Mysore, Bangalore.

With reference to your R.O.C.No. 191/21-22, dated the 23rd August 1921, I have the honour to state that cases of express trusts are few and far between in Mysore. The Trusts' Act has not been introduced in Mysore and apparently on principles of justice, equity and good conscience, the provisions of the Law of Trusts in British India are applied here in cases of trusts.

It seer necessary to have a regulation on the basis of the diar Trusts Act before the Official Trustees Act is troduced. Major portions of wills and deeds execute deal with religious bequests or trusts and under s tion 7 of the latest British Indian Act, no trust f a religious purpose shall ever be held by the off ial trustee, except under certain restrictions, though e Act of 1864 completely prohibited the official tr tee from accepting such trusts. It would be interes ng to ascertain first the number of cases of trusts which the settlers found it necessary to appoint o icial trustees (3.8), the value of the properties roposed to be settled by them and the number of case in which all the trustees and all the benefic ries are desirous that an official trustee should appointed and the value of such properties. It seem to me that cases of trusts themselves being few, th e in which official trustees have to be appointed ill be fewer still. I am therefore of opinion tha there is no necessity for any such enactment in Myso at present. An Official Trustees' Act was brought nto force in England itself only in 1908.

The Subordinate Judge and the Munsiffs except the Munsiff f Hassan are for the introduction of the Act.

Le er No. 1359/186, dated 28th September 1921, from th District Judge of Shimoga (Mr. B. Subbanna)

to

to the Registrar of the Chief Court of Mysore, Bangalore.

With reference to your R.O.C.No. 191/21-22, dated 23rd August 1921/22nd September 1921, I have the honour to state that I havebeen unable to get a copy of the Official Trustees' Act itself; but judging from the information gathered from a booklet containing notes on the powers and duties of the Official Trustee of Madras and rules regulating his office which I was able to get at, I think it will be very advantageous to introduce the Act.

The Sub Judge, Shimoga, and the Munsiffs of Davangere, Sagar and Narasimharajapura are of opinion that the said Act may be introduced with advantage and the other Munsiffs have not furnished their opinions as yet. Reminders are sent to them to send them immediately.

(7) Letter No. 1627/226, dated 23rd October 1921, from the District Judge of Shimoga (Mr. B. Subbanna) to the Registrar of the Chief Court of Mysore :-

In continuation of this office No. 1359/186, dated 28th September 1921, I have the honour to state that the Munsiffs of Shimoga and Chitaldrug are of opinion that the Official Trustees' Act may be introduced with advantage; but the Munsiff of Chickmagalur considers that it is too premature to introduce the Act.

introducing the Official Trustees Act in Mysore, I have the honour to state that the legislation appears to be in advance of the necessity; nevertheless I see no harm done in having it ready for use when occasion arises.

Opinions of the Munsiffs in the Bangalore Division.

Copy of letter No. 759, dated 8th December 1921, from the First Munsiff of Bangalore (Mr. D. Alasingrachar) to the District Judge of Bangalore :-

"With reference to your C.No.1003-12/C.97, dated 1-9-1921 I have the honour to state that the Official Trustees Act may with advantage be introduced in Mysore.

Copy of letter No. 43, dated 20th September 1921, from the Second Munsiff of Bangalore (Mr. G. Subrahmanya Iyer), to the District Judge of Bangalore :-

"With reference to your No. 1003-12/C.97, dated 1-9-1921 calling for my opinion regarding the introduction of the Official Trustees Act in Mysore, I have the honour to state that the said Act may be introduced into Mysore State.

Copy of letter No: 57, dated 3rd October 1921, from the Munsiff of Dodballapur (Mr. T. Shamiengar), to the District Judge of Bangalore.

"With reference to your letter No. 1427/372, dated 26-9-21 and in continuation of this office No. 39 dated 9-9-21, I have the honour to state that the Official Trustee Act in force in British India may be introduced into the Mysore State. * * *

Copy of letter No. 70, dated 8th September 1921, from the Munsiff of Kolar (Mr. B. Ranga Iyengar), to the District Judge of Bangalore:-

Adverting to your No. 1003-12/C.97/1-9-21, calling for my opinion, re the introduction of the Official Trustees Act,

A private trustee generally dislikes the trouble, responsibility and risk; and he may also become intentionally dishonest and use the trust property and have no property of his own to re-place it, or he may conceal or alienate his own property so that the persons entitled will get nothing or he may innocently lose the trust property by unauthorised investments, etc.

I am of opinion that the said Act may be introduced into the State to avoid the marginally noted inconveniences which arise from the appointment of private trustees.

Copy of letter No. 399, dated 22nd September 1921, from the Munsiff of Kolar Gold Fields (Mr.H.K.Veerabasaviah to the District Judge of Bangalore :-

In reply to your letter No. 1003-12/C.97 of 1-9-21 re the introduction of the Official Trustees Act into the Mysore State, I am of opinion that the Act in question may with advantage be introduced here, as the appointment of private individuals to manage Trust properties, is frought with many dangers, inconveniences and difficulties. An official trustee, appointed by Government, will more efficiently manage a Trust as he will be under statutary obligations which regulate his conduct and business routine. At present, the Official Trustee of Madras is exercising jurisdiction over our State also. But very few people here seem to know his existence; and his office is also too far off to effectively manage the Trust properties located

located in our State. Besides, he is not amenable to the control of our Government. In framing the Bill due care will, I hope, be taken of the poverty of the people in our State, where the chances for large estates being created for Trust are too few. Small Trusts for religious and charitable institutions for the benefit of minors and other incapicitated persons, legacies and Trusts for the maintenance of dependant relations, are probably the main items to be expected in our country. If the remuneration to the Official Trustee is fixed at a scale much cheaper than in Madras, there is some chance of the public approaching the Official Trustee. Otherwise the country is too poor to pay the remuneration to Official Trustees, the audit expenses, inspection charges, stamp fees, copying fees and other incidental charges at the rates prevailing in Madras. In order to attract people and make the thing more popular, I think it is desirable for some time to exempt the Trust created through the Official Trustee from levy of stamps and audit charges.

I am sure due provision will be made in the Act to frame suitable rules by Government from time to time to regulate the duties ~~and~~ and responsibilities of the Official Trustee, with proper care to exact strict economy and to maintain proper accounts and registers.

Copy of letter No. 197, dated 26th September 1921, from the Munsiff of Chikballapur (Mr.N.G.Lakshminarasimha Iyengar) to the District Judge, Bangalore :-

I have the honour to state that I could not procure here a copy of the Official Trustees Act (11 of 1913)

and

and so far as I can gather about its provisions from the Rules published in the Mysore Gazette of 15th July 1920, I believe the act may with advantage be introduced into this province though I fear that there may not be sufficient number of trusts in our province to maintain the office of an Official Trustee.

Copy of

Letter No. 88, dated 22nd September 1921; from the First Munsiff of Tumkur (Mr. S. Venkataranga Iyengar), to the District Judge of Bangalore :-

Adverting to your letter No. 1003-12/C.97, dated the 1st Instant, asking me to furnish my opinion in the matter of the introduction of the Official Trustees Act in Mysore, I have the honour to state that in my opinion it is necessary and desirable to introduce an act similar to the one in force in British India (Act II of 1913) with changes mutatis mutandis.

The following are some of the salient advantages which the public of Mysore would gain by the introduction of such an Act :-

(1) It cannot be denied that creations of trusts are at the present day as much in vogue in Mysore as in British India. There is always a great anxiety on the part of a person intending to create a trust to find out a suitable ~~xxsuxxx~~ trustee in whom he can repose confidence. An official trustee being one who will be appointed by the Government and generally a Barrister or an Advocate enrolled by the Chief Court of Mysore can be expected to administer a trust in a more disinterested and efficient manner than any private individual appointed

as

as truste If the Official Trustees Act be introduced into the ;ate it would, to a considerable degree, relieve a p rson intending to create a trust from the necessity of h nting after a person who in his opinion would be a comp tent trustee and at the same time willing to accept th trust, inasmuch as under that act he may ~~xx~~ by the in trument creating the trust and with the consent of the Of icial Trustee appoint him by that name or any other su icient description to be the trustee of the property egarding which he intends creating trust.

In is connection I may add here that if the Act in quest n be introduced into the State, persons intending to c ate trusts would always choose to appoint the official rustee as their ordinary trustee in preference to any p vate individual for the reason that there would be great security by adopting such a course inasmuch as the a counts of the official trustee would be subject to regul periodical audit and scrutiny by competent persons o be appointed by the Government ~~xxxxx~~ and in case of ny breach of trust by the official trustee the revenue of the Government will be liable to make good the los arising to the beneficiary or the trust property from su breach.

(2) s the law stands at present a ~~xxx~~ trustee who has acc ted the trust cannot afterwards renounce it except th the permission of a principal civil court of orig al jurisdiction or with the consent of the benefic ry. This causes great inconvenience to trustee who, though they have once accepted the trust, may not e willing to continue as trustees. In such cases, ough of course it is quite open to them to apply t the principal civil court of original jurisdiction to et a discharge by shewing sufficient reasons,

it is always inconvenient to have recourse to a court of law and even if they make such an application they may not be able to shew sufficient reason to the court for making an order of discharge. Nor would the beneficiaries give their consent to the trustees' renouncing inasmuch as it may not be possible to find substitutes in their place. But all this difficulty will be removed by the introduction of the Official Trustees Act inasmuch as under that Act where the trustees and the beneficiaries are desirous that the official trustee shall be appointed in the room of such trustees it shall be lawful for such trustees by an instrument in writing to appoint the official trustee with his consent to be the trustee in their place.

(3) In cases in which a trustee may have to be appointed by a court, i.e. the principal civil court of original jurisdiction, it may not be very easy for the court to find out a suitable trustee but if the Official Trustees Act be introduced and an official trustee be appointed under that Act, then it will be an easy matter for the court to appoint him with his consent as an ordinary trustee.

(4) Lastly, one of the chief advantages to be derived from the introduction of the Official Trustees Act in Mysore would be that after its introduction, in cases where an infant or a lunatic is entitled to any gift, legacy or share of the assets of a deceased person it would be lawful for the person by whom such gift is made an executor or administrator by whom such legacy or share is payable or transferable or any trustee of such gift, legacy or share to transfer the same by a deed to the official trustee with his consent. (Vide Sec. 12 of the British Indian Act).

Copy of letter No. 89, dated 23rd September 1921, from the Second Munsiff of Tumkur (Mr. U.D. Narayana Murti) to the District Judge of Bangalore :-

Adverting to your No. 1003-12/C.97, dated 1-9-1921, calling for opinion in the matter of the introduction of the Official Trustees Act in Mysore, I have the honour to state that the introduction of an Act similar to the Official Trustees Act of British India into Mysore would result in trusts being administered with greater safety and efficiency and that the provisions of such an Act would be of great convenience to the public. I am accordingly of opinion that it is highly desirable to introduce such an Act into Mysore.

Copy of letter No. 144, dated 26th September 1921, from the Munsiff of Maddagiri (Mr. G. Krishnamurti), to the District Judge of Bangalore:-

Adverting to your No. ~~1003~~ 1309-18/C.122, dated 17/20th September 1921, calling for my opinion with ~~re~~ the subject regarding the introduction into Mysore, of the Official Trustees Act, I have the honour to state that I am of opinion the same may be introduced with advantage.

Opinions of the Law Associations.

Letter No. 101, dated 28th October 1921, from the Joint Secretary to the Law Association, District Office Buildings, Bangalore, to the Registrar of the Chief Court of Mysore, Bangalore :-

With reference to your Reminder No. R.O.C.191/21-22, dated 22nd/24th Instant, regarding the introduction of the Official Trustees Act in Mysore, I have the honour to state that the members of the Law Association discussed the subject on the 4th Instant and passed a resolution unanimously that it is very necessary that the Act should be introduced in Mysore.

Letter, dated 16th November 1921, from the Secretary to the Bar Association, Mysore, to the Registrar of the Chief Court of Mysore :-

With reference to your letters Nos. (1) R.O.C.Petn: No. 63/20-21, (2) R.O.C.191/21-22 and (3) R.O.C.1008/20-21, asking for the opinion of the Association on the three points noted therein, I have the honour to forward herewith the opinion of the Association with respect to those matters as settled in the general meeting of the Association held on 12-11-1921.

OPINION :

* * * * * * * * *

2. Introduction of the Official Trustees Act .-

The circumstances which necessitate the appointment of an official Trustee in British India, do not exist in Mysore. Hence the Association is unanimously of opinion that there is no necessity to introduce the said act into Mysore.

Letter from the Secretary to the Law Association, Shimoga, to the Registrar of the Chief Court of Mysore:-

In reply to your letter No. R.O.C.191/21-22, dated 23-8-1921 in re, R.A. Subject that a Regulation on the lines of the British Indian Act XVII of 1864 (An Act to constitute an officer of official Trustee), I beg to state that the Law Association, Shimoga, are of opinion that the necessity for such an officer has been more pronounced latterly. Trusts are created often without proper agency for carrying out their objects. Very often trustees appointed by the donors do not undertake the task. Cases are not wanting where there is an abuse of trust funds occasioned by the non-existence of any organised official agency to see to its proper administration. In Mysore these functions are expected to be performed by the Deputy Commissioner of Districts. Generally these officers have no special establishment for this work and their duties are too multifarious to enable them to attend to the special needs of trusts efficiently. Consequently trusts are not being managed well.

The Association think that it is necessary to introduce an Act of the kind in Mysore at an early date.

"C O P Y"

E Srinivasa

REGISTRAR.